

# California Pesticide Use Enforcement Statistical Profile

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**Date** August 2010

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**Introduction** The Department of Pesticide Regulation (DPR) developed a summary of annual statewide county agricultural commissioner (CAC) pesticide enforcement program statistics. This annual California Pesticide Use Enforcement Statistical Profile consolidates CAC data from several DPR database sources. DPR also produced and distributed County Pesticide Use Enforcement Statistical Profiles with data from each individual county.

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**Source of the data** The data sources used in the report include the Pesticide Regulatory Activities Monthly Report (PRAMR), pesticide use report, and inspection tracking databases. Also included is CAC funding information from DPR and the California Department of Food and Agriculture (CDFA).

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**Pages of the profile** This statistical profile consists of:

- Annual statewide pesticide enforcement program statistics: General statistics about the CAC program drawn from the PRAMR and pesticide use report databases, and funding disbursed by CDFA via the unclaimed gas tax distribution and by DPR via the mill assessment;
- Statewide workload distribution by percent time: Charts showing workload distribution by licensed work hours and percentages of time dedicated to various categories of the CAC pesticide enforcement program (PRAMR);
- Statewide inspection compliance: Compliance information from the various types of inspections conducted by the CACs (inspection tracking) and a summary of the number of compliance and enforcement actions taken (PRAMR); and
- Most common violations-statewide: A listing of the code section violations that are most frequently cited on CAC inspections (inspection tracking).

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**Purpose of the profiles** The profiles were developed to look at available data in a more comprehensive format. The CACs and DPR may use this information to:

- Develop county enforcement work plans;
- Conduct effectiveness evaluations;
- Identify trends and program changes;
- Identify CAC staff training needs;
- Identify industry outreach needs;
- Improve inspection compliance;

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## California Pesticide Use Enforcement Statistical Profile, Continued

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### Purpose of the profiles (continued)

- Develop inspection targeting programs; and
  - Compare county data to statewide, regional and/or other counties with similar characteristics.
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### Annual pesticide enforcement program statistics

This is a three-year comparison of several statistics regarding restricted materials permits (such as number of: permits issued, permits denied, multi-year permits, sites, and notices of intent reviewed, assessed and denied); pounds of pesticides used; number of applications; number of inspections; and CDFA and DPR funding. This information can be used to identify significant year-to-year reductions or increases that may impact the county's overall pesticide enforcement program.

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### Workload hours and distribution by percent time

The line chart shows a three-year comparison of CAC time spent (Licensed Work Hours) in seven categories of pesticide use enforcement. The pie chart presents the percentage of time dedicated to those activities over the three-year period. These charts identify areas where excessive or minimal time is dedicated to specific work categories that may not be appropriate for an individual program. It can also be used to identify significant year-to-year reductions or increases that may impact the overall pesticide enforcement program.

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### Inspection compliance

These tables list by agricultural and structural settings the numbers of inspections and compliance rates for each inspection type the CACs conduct. It also shows the number of "No's" per inspection, the percentage of inspections with 100 percent compliance and the number of inspections where one or more violations were found.

The last number on the table can be compared with the number of compliance and enforcement actions taken during the same period; however, the numbers do not correlate directly. Not all compliance and enforcement actions are taken during the fiscal year in which it is reported. Additionally, some actions may result from the discovery of violations by means other than inspections, such as investigations.

This information can be used to identify areas of particularly low compliance where industry outreach or changes in targeting strategies may be used to improve compliance. Areas of particularly high compliance where DPR's field experience indicates that the compliance rate is not as high may identify a need to review the CAC's inspections to determine if additional training is appropriate for CAC staff.

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### Most common violations

This table lists the most frequently found violations by agricultural and structural settings during CAC inspections. They can be used to indicate areas where industry outreach and training is most needed.

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## Annual Statewide Pesticide Enforcement Program Statistics

	2007	2008	2009
Operator identification numbers issued <sup>1</sup>	13,039	13,433	13,454
Restricted material permits issued <sup>1</sup>	32,041	30,777	29,889
Permits denied <sup>1</sup>	436	404	355
Multi-year permits <sup>1</sup>	6,803	8,971	11,248
Total permitted sites <sup>1, 2</sup>	238,000	276,819	274,550
Notices of intent (NOIs) reviewed <sup>1</sup>	155,382	144,945	143,799
NOIs assessed (Pre-application site inspections) <sup>1</sup>	9,663	9,567	8,560
NOIs denied <sup>1</sup>	1,582	1,659	1,398
Pounds of pesticide applied (active ingredient) <sup>3</sup>	172,764,706	163,837,704	160,254,085
Number of agricultural applications <sup>3</sup>	2,197,247	2,102,821	1,916,661
Number of non-agricultural applications <sup>3,4</sup>	12,682,846	12,809,509	11,768,195
Number of all inspections <sup>1</sup>	28,660	29,253	28,324
Unclaimed Gas Tax Distribution <sup>5,6</sup>	\$9,322,071	\$9,000,000	\$9,000,000
Pesticide Mill Assessment <sup>5</sup>	\$17,537,483	\$18,558,861	\$19,087,732

### Footnotes

<sup>1</sup> Source: Pesticide Regulatory Activities Monthly Report (PRAMR)

<sup>2</sup> Some counties did not report any permitted sites.

<sup>3</sup> Source: Department of Pesticide Regulation Pesticide Use Report Database

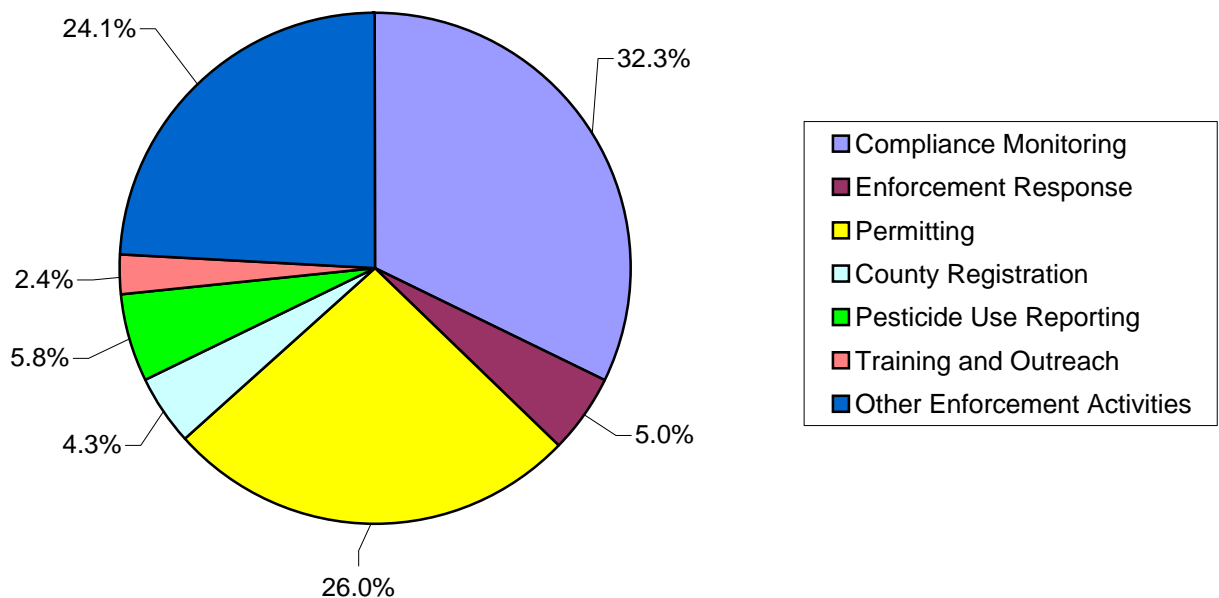
<sup>4</sup> Analysis of data indicates some problems with reporting and accurately recording these figures.

<sup>5</sup> Funding is on a fiscal year basis and is based on the prior year's workload.

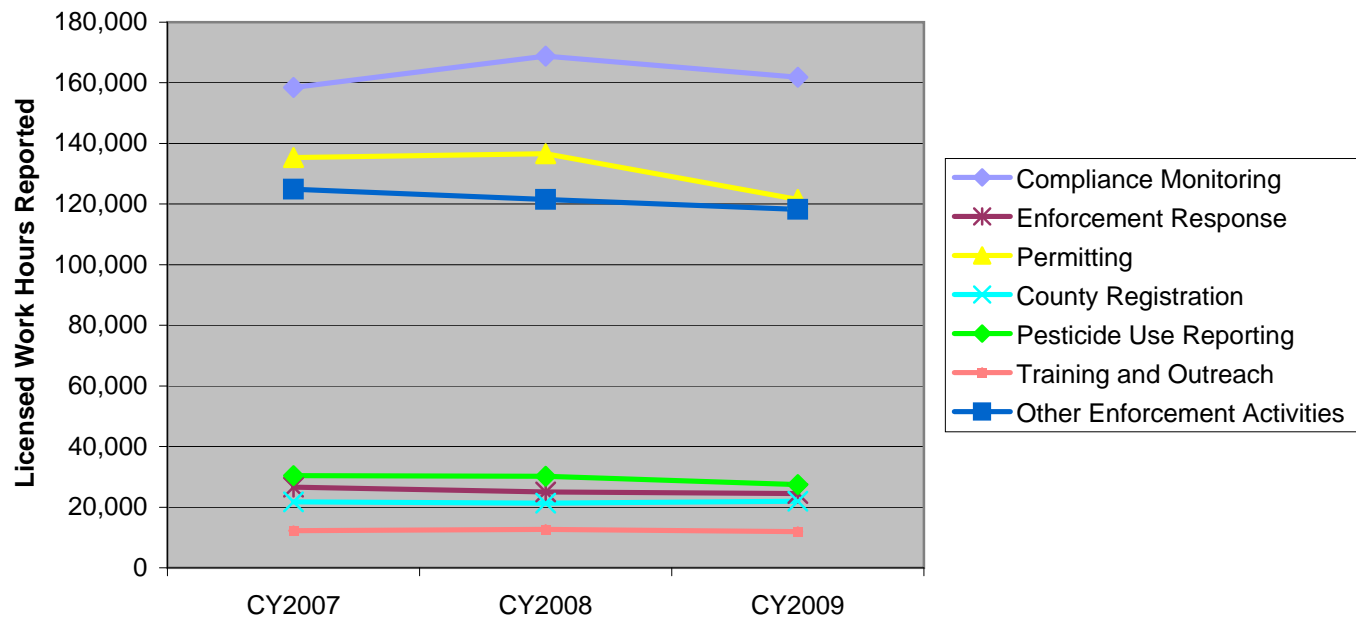
<sup>6</sup> Funding is on a fiscal year basis. This amount represents 36 percent of the full amount distributed by CDFA for all 10 agricultural programs (FAC 2282) and pesticide use enforcement. The 36 percent represents the typical amount dedicated to pesticide use enforcement.

# Statewide County Pesticide Regulatory Activities Monthly Report Calendar Year Summary

Percentage of Licensed Work Hours Reported By Category  
During Calendar Years 2007, 2008, and 2009



Number of Licensed Work Hours Reported By Category  
For Calendar Years 2007, 2008, and 2009



# Statewide Inspection Compliance

	Calendar Year 2007							Calendar Year 2008							Calendar Year 2009						
		Criteria Compliance							Criteria Compliance							Criteria Compliance					
Inspection Type	Number of Inspections	Items That Did Comply	Items That Did Not Comply	Total Items	Rate	Inspections With a Violation	Inspections with 100% Compliance	Number of Inspections	Items That Did Comply	Items That Did Not Comply	Total Items	Rate	Inspections With a Violation	Inspections with 100% Compliance	Number of Inspections	Items That Did Comply	Items That Did Not Comply	Total Items	Rate	Inspections With a Violation	Inspections with 100% Compliance
Agricultural																					
Field Worker Safety	1133	5,088	213	5,301	96.0%	139	87.7%	1303	5,978	208	6,186	96.6%	144	88.9%	1075	4,962	183	5,145	96.4%	131	87.8%
Pesticide Use - Application	5270	90,180	3,050	93,230	96.7%	971	81.6%	5488	93,169	3,166	96,335	96.7%	1,018	81.5%	4947	84,054	2,583	86,637	97.0%	812	83.6%
Pesticide Use - Mix Load	1974	38,168	465	38,633	98.8%	182	90.8%	2069	40,085	434	40,519	98.9%	185	91.1%	1848	35,861	392	36,253	98.9%	170	90.8%
Commodity Fumigation	434	9,945	12	9,957	99.9%	4	99.1%	354	8,055	25	8,080	99.7%	8	97.7%	417	9,579	7	9,586	99.9%	6	98.6%
Field Fumigation	667	18,609	77	18,686	99.6%	29	95.7%	803	22,537	104	22,641	99.5%	43	94.6%	725	20,531	30	20,561	99.9%	19	97.4%
Records	4130	59,887	1,799	61,686	97.1%	687	83.4%	4298	61,357	1,713	63,070	97.3%	674	84.3%	4017	58,352	1,642	59,994	97.3%	631	84.3%
Totals:	13608	221,877	5,616	227,493	97.5%	2,012	85.2%	14315	231,181	5,650	236,831	97.6%	2,072	85.5%	13029	213,339	4,837	218,176	97.8%	1,769	86.4%
Structural																					
Fumigation	1969	61,685	303	61,988	99.5%	140	92.9%	1979	61,709	223	61,932	99.6%	119	94.0%	2039	64,082	170	64,252	99.7%	107	94.8%
Non-Fumigation Application	1245	24,534	451	24,985	98.2%	224	82.0%	1079	21,290	267	21,557	98.8%	157	85.4%	1098	21,798	301	22,099	98.6%	181	83.5%
Non-Fumigation Mix Load	179	3,482	63	3,545	98.2%	34	81.0%	158	2,998	29	3,027	99.0%	20	87.3%	151	2,964	33	2,997	98.9%	23	84.8%
Records	1243	11,841	316	12,157	97.4%	160	87.1%	1276	12,266	251	12,517	98.0%	146	88.6%	1219	11,553	212	11,765	98.2%	139	88.6%
Totals:	4636	101,542	1,133	102,675	98.9%	558	88.0%	4492	98,263	770	99,033	99.2%	442	90.2%	4507	100,397	716	101,113	99.3%	450	90.0%
Overall Totals:	18,244	323,419	6,749	330,168	98.0%	2,570	85.9%	18,807	329,444	6,420	335,864	98.1%	2,514	86.6%	17,536	313,736	5,553	319,289	98.3%	2,219	87.3%

Inspection numbers only include completed non-oversight inspections to DPR.

Prepared 8/5/2010

Statewide Closed Compliance Actions and Closed Enforcement Actions

	2007		2008		2009	
	Hours	Numbers	Hours	Numbers	Hours	Numbers
<b>VIII. Compliance Actions</b>						
A. Warning Letters / Violation Notices		3,884		3,528		3,876
B. Cease and Desist Orders		255		302		272
C. Documented Compliance Interviews		51		46		33
<b>Total:</b>	9,604	4,190	10,700	3,876	11,207	4,181
<b>IX. Enforcement Actions</b>						
<b>A. Administrative Action:</b>						
1. Restricted Materials Permit		20		18		12
2. Private Applicator Certifications		0		0		2
3. County Registrations		0		0		0
4. Structural Civil Penalties		295		235		230
5. Agricultural Civil Penalties		937		764		620
<b>B. Judicial Actions:</b>						
1. Notice to Appear (Citations)		5		0		5
2. Cases Submitted to DA		2		2		3
3. Civil Complaints Filed		0		0		0
4. Criminal Complaints Filed		0		0		1
<b>C. Referrals to DPR</b>		0		0		2
<b>Total:</b>	17,005	1,259	14,337	1,019	13,297	875

Note: Compliance and Enforcement actions are not necessarily taken in the same calendar year when the violation occurs. Additionally, some actions may be due to discovery of violations by means other than inspections such as through investigations.

Statewide

Most Common Agricultural Violations

Agricultural Elements Evaluated	Number of Violations			
	2007	2008	2009	Total
Personal Protective Equipment	688	678	504	1870
Handler Training	605	628	617	1850
Labeling - Permit Cond.	587	664	499	1750
Emergency Medical Care/Handler	458	439	369	1266
Pest Control Business/Equipment Registered	326	356	314	996
Handler Decontamination Facilities	357	324	242	923
Service Container Labeling	292	308	258	858
Availability of Labeling	254	290	209	753
Hazard Communication-Fieldworker	153	156	183	492
Equipment Identification	144	136	111	391
Hazard Communication-Handler	134	126	128	388
Pesticide Use Use Reports Submitted	115	111	103	329
Pesticide Use Records	108	127	91	326
Container Requirements	103	115	107	325

Most Common Structural Violations

Structural Elements Evaluated	Number of Violations			
	2007	2008	2009	Total
Personal Protective Equipment	198	124	115	437
Labeling - Permit Condition	174	96	106	376
Emergency Medical Care/Handler	108	64	46	218
Handler Training	80	68	59	207
Service Container Labeling	83	61	62	206
Written Notice to Occupant	47	60	82	189
Annual Notification Submitted	27	32	36	95
General Fumigation Safe-Use Requirement	44	29	14	87
General Standards of Care	34	29	19	82
Availability of Labeling	35	21	16	72
Standards and Record Requirement	19	29	13	61
Pesticide Use Reports	19	13	22	54
Container Control	32	10	5	47
Hazard Communication-Handler	22	13	12	47